

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA
11

12 SCOTT WESLEY HUMPHREYS,

13 Plaintiff,

14 v.

15 RON HAYNES, *et al.*,

16 Defendants.

17 CASE NO. 3:21-cv-5637-RJB-TLF

18 ORDER DISMISSING
19 PLAINTIFF'S COMPLAINT

20 This matter, which has been referred to United States Magistrate Judge Theresa L. Fricke,
21 comes before the Court on plaintiff's filing of an amended complaint (Dkt. 8) and the Report and
22 Recommendation of the undersigned Magistrate Judge (Dkt. 9). The Court has reviewed the
23 Report and Recommendation, plaintiff's Amended Complaint, and the remaining record. No
24 objections to the Report and Recommendation were filed. Upon review of the record, the Court
 does hereby find and ORDER:

- 1 • The Court adopts the Report and Recommendation (Dkt. 9);
- 2 • Plaintiff's amended complaint, and therefore this action, is DISMISSED without
- 3 prejudice for failure to state a claim upon which relief can be granted;
- 4 • Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. 5) is DENIED as
- 5 moot.

6 The Clerk is directed to send uncertified copies of this Order to all counsel of record and
7 to any party appearing pro se at said party's last known address.

8 Dated this 28th day of February, 2022.

9 
10

11 ROBERT J. BRYAN
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24